

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING - November 9, 2000**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1-53, 55-62*)

**Members:** Henry P. Szymanski (*voting on items 1-62*)  
Scott R. Winkler (*voting on items 1-52, 54-62*)  
Catherine M. Doyle (*voting on items 4-6*)  
Roy B. Nabors (*voting on items 1-37, 39-62*)

**Alt. Board Members:** Georgia M. Cameron (*voting on items 53, 54*)  
Donald Jackson (*voting on items 1-3*)

START TIME: 2:10 p.m.

End Time: 8:45 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	22988 Special Use	Golden Rule Church of God In Christ  Request to occupy premises as a church.	2432-34 W. Hopkins St. 10th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	23211 Dimensional Variance	James and Mary Mussomelli, Owner  Request to continue occupying the premises repair facility with wholesale activities without required landscaping.	9105 W. Fond du Lac Av. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That the vehicle storage area is landscaped and screened according to landscape plan submitted to the Board of Zoning Appeals September 12, 2000.  5. That all prior Board of Zoning Appeals conditions in Case No. 22544 regarding this property are complied with.  6. That this Variance is granted for a period of time commencing with the date hereof, and expiring November 18, 2009.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
3	23092 Use Variance	Maureen Bohorfoush, Prospective Buyer  Request to occupy the premises as a deli/coffee shop.	4101 W. Highland Bl. A/K/A 4110 W. Martin Dr. 16th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained - C. Zetley	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage is limited to a maximum of 17.5 square feet.</li> <li>5. That the appellant continue to work with Department of City Development staff on design-related issues.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
4	23269 Change of Operator	Discount Transmission and Auto Sales Thomas D. Manske; Lessee  Request to continue occupying the premises as a motor vehicle sales and repair facility.	7808 W. Congress Av. 2nd Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
5	23122 Use Variance	Grace Family Day Care, No Middle Ground Worship Center Evaughn High; Lessee  Request to occupy the premises as a church, school and day care center ( 99 children, ages 6 wks. - 12 yrs., from 6 a.m. to 6 p.m.).  Action: Dismissed  Motion: Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3334 N. Holton Av. 3rd Dist.
6	23247 Extension of Time	Gene W. Berube, Property Owner  Request to comply with the conditions of case No. 22432.  Action: Granted  Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	1541 N. Marshall St. 3rd Dist.
7	23256 Extension of Time	Harleen Peters, Property Owner  Request to comply with the conditions of case No. 22516.  Action: Granted  Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	930 N. 27th St. 4th Dist.
8	23237 Dimensional Variance	Fr. Robert H. Fessler, Property Owner  Request to construct a ramp in front yard of the premises.  Action: Dismissed  Motion: Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4021 N. 90th St. 5th Dist.



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9	23176 Use Variance	Sudie B. Jones, Property Owner  Request to occupy the premises with more than one principal building.	8701 W. Greenwood Tr. 9th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	23241 Change of Operator	Riaz U. Chaudary, Lessee  Request to continue occupying the premises as a type 'B' restaurant.	4934 W. Fond du Lac Av. A/K/A 4920-34 W. Fond du Lac Ave. 10th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
11	23266 Change of Operator	Jasjeet Singh, Lessee  Request to continue occupying the premises as a motor vehicle pumping station and convenience store.	1432 W. Locust St. 10th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	23250 Extension of Time	Cornerstone Property Development, Property Owner  Request to comply with the conditions of case No. 22752.	306-14 E. Lincoln Av. 14th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



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13	23230 Use Variance	Willie D. Gordon & Patricia Winkels, Lessee  Request to occupy the premises as a second hand sales facility (furniture).	4800-12 W. Lloyd St. A/K/A 2101 N. 48th St. 17th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That signage is limited to a maximum of 17.5 square feet and is to be located within the sign band above the storefront windows.</p> <p>6. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</p>	



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14	23245 Special Use	Shan Food Sales Inc., d/b/a New York Fried Chicken Amjad Tufail; Property Owner  Request to continue occupying the premises as a type 'B' restaurant.	1635 W. North Av. 17th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained per city code.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	



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15	23246 Special Use	Charles Griffin, Lessee  Request to occupy the premises as a hand car wash facility.	4509 W. North Av. A/K/A 4503-09 W. North 17th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no work or storage of vehicles occurs in the public right of way.</li> <li>5. That all washing and drying activities are performed inside of the building.</li> <li>6. That all wastewater is properly disposed of on-site.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
16	23231 Special Use	United Apostolic Church of God David L. Evans, Sr.; Prospective Buyer  Request to occupy the premises as a day care center for 124 children, ages infant to 12 yrs., open 24 hrs.	5030 W. Hampton Av. A/K/A 5020 W. Hampton Ave. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	



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17	23236 Special Use	Shalom Family Worship Lewis Gray; Lessee  Request to occupy the premises as a church.  Action: Granted 2 yrs.  Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	6815 W. Capitol Dr. 2nd Dist.
18	23239 Special Use	Kinder Korner Academy Rita Bergeron; Lessee  Request to continue occupying the premises as a day care center and expand to 101 children, ages 6 wks. - 12 yrs., from 6 a.m. to 11:30 p.m.  Action: Adjourned  Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	6003 W. Villard Av. A/K/A 6003-05 W. Villard Ave. 2nd Dist.
19	23227 Dimensional Variance	Farwell & Crammer, LLC Lynn A. Quirk; Property Owner  Request to continue occupying the premises as a three family dwelling unit.  Action: Adjourned  Motion: This item was adjourned at the request of the alderman.	2710 N. Farwell Av. A/K/A 2710, 12, & 12A N. Farwell 3rd Dist.



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20	23254 Dimensional Variance	Jim Metz, Property Owner  Request to permit 3 air conditioning condensers and mechanicals within the east side setback.	1603-23 E. Park Place . A/K/A 2644 N. Newhall 3rd Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	
21	23255 Special Use	Refuge House Ministries, Inc., Lessee  Request to occupy the premises as a church.	706 N. 26th St. A/K/A 2532 W. Wisconsin Ave. 4th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That written permission is obtained for use of the Red Cross parking lot.  5. That this Special Use and this Variance is granted for a period of three (3) years, commencing with the date hereof.	



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22	23258 Special Use	MATA Community Media Vel Wiley; Prospective Buyer  Request to occupy the premises as a cable casting and broadcasting station.	2404 W. Clybourn Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
23	23244 Special Use	Priya Corp, Lessee  Request to continue occupying the premises as a motor vehicle pumping facility and convenience store.	4801 N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	
24	23262 Special Use	Appleton Angels Christian Child Care Center Diana N. Patterson; Lessee  Request to occupy the premises as a day care center for 85 children, ages 6 mo. through 12 yrs., from 6 a.m. to 6 p.m.	7607 W. Townsend St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	



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25	23240 Special Use	Redevelopment Authority of the City of Milwaukee, Property Owner  Request to construct a mixed use building (commercial and residential) on the premises.  Action: Adjourned  Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	1823-31 N. Martin L. King Jr. Dr. 6th Dist.
26	23248 Special Use	Pristine Child Care Center Rilla E. Williams; Lessee  Request to continue occupying the premises as a day care center for 30 children, ages 6 wks. through 12 yrs., from 7 a.m. to 5:30 p.m.  Action: Granted 10 yrs.  Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	1934 N. Martin L. King Dr. A/K/A 1930-34 N. Dr. Martin L. King Dr. 6th Dist.



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27	23179 Use Variance	Luther McEwen Jr., Property Owner  Request to continue occupying the premises as a motor vehicle body bumping and painting facility with the addition of used motor vehicle sales.	2747 N. 29th St. A/K/A 2747-53 N. 29th St. 7th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no work or storage of vehicles occurs in the public right of way.</li> <li>5. That the term of this Special Use is to run concurrently with the existing use Variance.</li> <li>6. That all conditions of case No. 21521 are complied with.</li> <li>7. That this Special Use and this Variance are granted for a period of time commencing with the date hereof, and expiring on May 10, 2008.</li> </ol>	



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28	23249 Special Use	H & M Auto James Hull; Lessee  Request to continue occupying the premises as a motor vehicle parts (new & used) sales and service facility with the addition of limited motor vehicle sales.	2424 N. 30th St. 7th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That all conditions of case No. 21206 are complied with.  5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 17, 2002.	
29	23228 Dimensional Variance	Kenneth Dzikowski, Property Owner  Request to construct a 22' x 28' ft. garage on the premises.	3705 W. Orchard St. 8th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	



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30	23265 Special Use	M & R Land Co., LLC, Property Owner  Request to occupy the premises as a materials recovery facility.	3299 N. 30th St. A/K/A 3026 W. Concordia 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the bins are to remain empty when stored on 3351 N. 30th St.</li> <li>5. That the existing fence along the street edge of the property is upgraded to provide opacity through the installation of privacy slats in a woven fashion.</li> <li>6. That the privacy slats are installed in a workman-like manner and are maintained on an ongoing basis in a neat and attractive manner.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
31	23242 Dimensional Variance	Charles H. Smalley and Michael Unrein; Property Owner  Request to construct a front porch in the front setback.	3617 S. 90th St. 11th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	



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32	23238 Use Variance	Palermo Villa, Inc. Jack Falluca; Property Owner  Request to construct an addition to the existing manufacturing and processing facility.	800-16 W. Maple St. A/K/A 1719-1735 S. 8th St. 12th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the alley west of S. 8th Street is vacated.</li> <li>5. That façade &amp; elevation plans are submitted to, and approved by the Department of City Development-Planning Administration Section prior to the issuance of any permits.</li> <li>6. That the appellant apply for a zoning change to General Plan Development within 6 months of the granting of this variance.</li> <li>7. That signage is limited to a maximum of 17.5 square feet.</li> <li>8. That this Variance is granted for a period of time commencing with the date hereof, and expiring on July 12, 2009.</li> </ol>	



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33	23252 Special Use	Graciela Lopez, Lessee  Request to occupy the premises as a second hand sales facility.	1651 S. 11th St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the advertising pennants on the exterior of the storefront are removed.</li> <li>5. That there is no outdoor display of merchandise for sale.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
34	23110 Dimensional Variance	Pedro and Maria Armas, Property Owner  Request to construct a detached garage on the premises.	224-26 W. Howard Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
35	23225 Use Variance	<p>Fromm Tucker Partnership, Property Owner</p> <p>Request to install 3 additional mobile homes on the existing premises.</p> <p>Action:</p> <p>Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	6160 S. 6th St. 13th Dist.
36	23257 Special Use	<p>Don Landers, Prospective Buyer</p> <p>Request to continue occupying the premises as a type 'B' restaurant.</p> <p>Action: Granted</p> <p>Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	6309 N. 76th St. 15th Dist.



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
37	23251 Special Use	Care for Tots Mary Lee Elam; Property Owner  Request to continue occupying the premises as a day care center for 47 children, ages 6 wks. through 12 yrs., from 6 a.m. to 8 p.m.  Action: Granted 10 yrs.  Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That if any permit or license from the State of Wisconsin is, this Special Use herein granted shall immediately become null and void. 5. That signage is limited to a maximum of 50 square feet and is located in the sign band above the storefront windows. 6. that storefront windows are to remain as clear glass and are to be maintained in a neat and orderly manner. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	4716-18 W. Vliet St. 16th Dist.
38	23263 Use Variance	Paramont Bible Fellowship Ladon Simpson; Lessee  Request to occupy the premises as a church and social service facility.  Action: Denied  Motion: Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.  Vote: Roy Nabors recused. 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3101-05 W. North Av. A/K/A 3123 W. North 17th Dist.



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
39	23233 Appeal of an Order	Kathryn Hilety, Property Owner  Request to appeal the order of the Department of Neighborhood Services inspector determining the use to be a three family dwelling unit.	3908-12 N. 68th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	
40	23065 Special Use	Voicestream Wireless, Lessee  Request to construct a transmission tower on the premises.	5303 W. Fond du Lac Av. 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
41	23205 Dimensional Variance	Gaenslen Elementary School, Property Owner  Request to construct a 26.6 sq. ft. sign on the premises.	1250 E. Burleigh St. 3rd Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
42	23145 Dimensional Variance	National Property Enterprises, Property Owner  Request to establish a 5 unit apartment building without the required parking.	1508 N. Cass St. 3rd Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
43	23150 Special Use	Milwaukee County DPW-Facilities Mgmt. John R. Dehli, Director; Property Owner	601-23 W. State St. A/K/A 929 N. 6th St. 4th Dist.
		Request to continue to use the premises as a surface parking lot.	
	Action:	Granted 1 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the appellant markets the site for development.  5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
44	23222 Use Variance	BVK/McDonald for Sun Country Airlines Matt Galewski; Lessee	318 W. Juneau Av. A/K/A 300-318 W. Juneau Ave. 4th Dist.
		Request to paint two off-premise wall signs on the premises.	
	Action:	Denied	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 2 Nays	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
45	22886 Use Variance	Jeffery S. Katz and Daniel Cartwright  Request to occupy the premises as a metal processing and recycling (junkyard) facility, with outdoor storage and collection of consumer recyclable goods.	8300 W. Florist Av. 5th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant fills in a large hole adjacent to the driveway where an in-ground scale was removed.</p> <p>5. That the western portion of the site is landscaped according to the plan submitted to the Board of Zoning Appeals on October 2, 2000.</p> <p>6. That all previous BOZA conditions regarding this property are complied with.</p> <p>7. That this Variance is granted for a period of time commencing with the date hereof, and expiring on October 2, 2001.</p>	
46	23187 Appeal of an Order	Marc Rassbach, Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a junk yard.	611 E. Wright St. 6th Dist.
	Action:	Appeal Denied. Order upheld.	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
47	23192 Use Variance	William K. Daniel  Request to occupy the premises for outdoor sales of salt.	2757 N. 20th St. 7th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	2 Ayes, 2 Nays, 1 C. Zetley Abstained.	
48	23229 Special Use	Grisby's Child Development Center Ruby J. Grisby; Property Owner  Request to occupy the premises as a day care center for 40 children, ages 4 wks. to 12 yrs., from 6:30 a.m. to 5:30 p.m.	5455 W. Burleigh St. A/K/A 5425 W. Burleigh St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the operator complies with all State commercial code requirements for day cares.</li> <li>5. That the appellant submits documentation from the State of Wisconsin indicating that an exception from the required minimum outdoor play area has been granted.</li> <li>6. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>7. That the applicant amend the Plan of Operation and site plan to reflect the actual amount of play space on site within 30 days.</li> <li>8. That the existing loading zone on Burleigh is maintained.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
49	23234 Special Use	Cleotha Ward, Lessee  Request to occupy the premises as a motor vehicle repair facility.	2450 W. Center St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no work or storage of vehicles occurs within public right of way.</li> <li>5. That no vehicles stored on site impede ingress or egress through the driveways.</li> <li>6. That the appellant complies with all of the conditions of the Board of Zoning Appeals case No. 20729 for the previous special use motor vehicle repair facility.</li> <li>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
50	23214 Special Use	Joseph Brandt Brandt's Central City Enterprises; Lessee  Request to occupy the premises as an open-air market for second hand sales.	5712 N. Teutonia Av. 9th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	23224 Use Variance	Hazel Johnson, Lessee  Request to occupy the premises as a limousine service.	3213 N. 10th St. A/K/A 3211-13 N. 10th St. 10th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
52	23216 Appeal of an Order	Start Recycling, LLC Arthur Arnstein; Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be an outdoor junkyard.	3232 W. Fond du Lac Av. 10th Dist.
	Action:	Appeal denied. Order upheld.	
	Motion:	Roy Nabors moved to uphold the order. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	23210 Special Use	Milwaukee Police Athletic League, Inc. James E. Miller Jr.; Prospective Buyer  Request to construct and occupy the premises as a community center.	2320 W. Burleigh St. A/K/A 2319 W. Auer Ave. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the appellant agrees to work with Department of City Development staff on design related issues.  5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
54	23118 Special Use	Calvary Hill Temple Jeanetta Perry; Property Owner  Request to occupy the premises as a church with a maximum seating capacity of 60.	3410 W. Burleigh St. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	C. Zetley Recused. 4 Ayes, 0 Nays, 1 Abstain - S. Winkler	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all building code violations are corrected prior to occupancy.</li> <li>5. That landscaping and screening plans for the parking area are submitted which meet the intent of s.295-75.</li> <li>6. That signage is limited to a maximum of 50 square feet.</li> <li>7. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
55	23158 Dimensional Variance	Lad Lake, Inc., Prospective Buyer  Request to occupy the premises as group home for 8 juveniles ages sixteen to eighteen.	3446 N. 47th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
56	23243 Use Variance	Nicholas Anton, Property Owner  Request to construct a parking lot on the parcel.	717 S. 4th St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the parking area is paved.</li> <li>5. That the parallel parking option is implemented.</li> <li>6. The lot is used exclusively as an employee parking lot for the appellant's facility located at 734 S. 5th St.</li> <li>7. That landscaping and screening plans are submitted which meet the intent of s.295-75 and include a buffer to the east abutting residence.</li> <li>8. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
57	23217 Special Use	Guadalupe Estrada, Property Owner  Request to occupy the premises as a tavern and dance hall.	1560 W. National Av. A/K/A 1538,1548,1554,1560 & 1566 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant submit a revised parking layout acceptable to the Department of Public Works within 30 days.</p> <p>5. That landscaping and screening plans for the parking area are submitted, which meet the intent of s.295-75.</p> <p>6. That the appellant agrees to work with Department of City Development staff on design related issues.</p> <p>7. That the applicant take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
58	23114 Special Use	Voicestream Wireless Jeff Fowle; Lessee  Request to construct a 110 ft. tower on the premises.	1500 E. Manitoba St. A/K/A 1532 E. Oklahoma Ave. 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
59	23221 Appeal of an Order	Jo Ann James, Property Owner  Request to appeal an order from the Department of Neighborhood Services inspector requiring the removal of the structure in the front yard and all signage relating to the family day care operation.	4125 W. Vliet St. 16th Dist.
	Action:	Appeal Denied. Order upheld.	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
60	23127 Appeal of an Order	Mike Zappas, Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a hotel.	315 S. Water St. 12th Dist.
	Action:	Denied	
	Motion:	The appeal of the order was denied. Henry Szymanski moved to uphold the order. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	23073 Special Use	The Salvation Army Major James Frye; Lessee  Request to occupy the premises as a social service facility.	3120-28 W. Wisconsin Av. 4th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	22871 Special Use	Bulk Petroleum Corp. Darshan S. Dhaliwal; Property Owner  Request to continue occupying the premises as a gas station and convenience store.	3308 W. Vliet St. 4th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

The Board set the next meeting for November 30, 2000.

Board member Szymanski moved to adjourn the meeting at 8:45 p.m.. Seconded by Board member Doyle.  
Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board